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May 1, 2008

Via Hand Delivery

Doc. No. 264912

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
Office of the Secretary  
c/o Natek, Inc.  
236 Massachusetts Avenue, NE  
Suite 110  
Washington, DC 20002

FILED/ACCEPTED

MAY - 1 2008

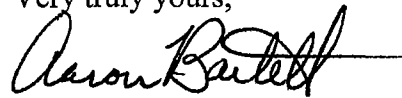
Federal Communications Commission  
Office of the Secretary

Re: Application by GoAmerica, Inc. for Amendment of Its Telecommunications  
Relay Services Certification to Include Certification as a Provider of IP  
Captioned Telephone Service

Dear Ms. Dortch:

On behalf of GoAmerica, Inc. ("GoAmerica") and pursuant to the Commission's January 11, 2007 Declaratory Ruling in Docket No. 03-123,<sup>1</sup> attached for filing are an original and four (4) copies of GoAmerica's "Application by GoAmerica, Inc. for Amendment of Its Telecommunications Relay Services Certification to Include Certification as a Provider of IP Captioned Telephone Service."

Very truly yours,



Aaron M. Bartell\*

cc: Ms. Cathy Seidel, Chief, Consumer and Governmental Affairs Bureau  
Mr. Thomas Chandler, Chief, Disability Rights Office

No. of Copies rec'd 044  
List ABCDE

<sup>1</sup> *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Declaratory Ruling (Jan. 11, 2007).

\* Admitted Only in New York.  
Work supervised by Principals of the Firm  
who are members of the DC Bar.

Before The  
**Federal Communications Commission**  
Washington, D.C.

In the Matter of )

Telecommunications Relay Services and )  
Speech-to-Speech Services for Individuals )  
With Hearing and Speech Disabilities )

CG Docket No. 03-123

Application for Amendment of TRS )  
Certification to Include Certification to )  
Provide IP Captioned Telephone Service )

**FILED/ACCEPTED**

**MAY - 1 2008**

Federal Communications Commission  
Office of the Secretary

To: Chief, Consumer and Governmental Affairs Bureau,  
IP CTS Certification Program

**Application by GoAmerica, Inc. for  
Amendment of Its Telecommunications Relay Services Certification  
to Include Certification as a Provider of IP Captioned Telephone Service**

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May 1, 2008

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**Before The  
Federal Communications Commission  
Washington, D.C.**

In the Matter of	)	
	)	
Telecommunications Relay Services and	)	
Speech-to-Speech Services for Individuals	)	CG Docket No. 03-123
With Hearing and Speech Disabilities	)	
	)	
	)	
Application for Amendment of TRS	)	
Certification to Include Certification to	)	
Provide IP Captioned Telephone Service	)	

To: Chief, Consumer and Governmental Affairs Bureau,  
IP CTS Certification Program

**Application by GoAmerica, Inc. for  
Amendment of Its Telecommunications Relay Services Certification  
to Include Certification as a Provider of IP Captioned Telephone Service**

GoAmerica, Inc. ("GoAmerica" or the "Company"), by its undersigned counsel and pursuant to the Commission's January 11, 2008 declaratory ruling in this proceeding<sup>1</sup> and 47 C.F.R. §§ 64.604 and 64.605, respectfully submits this application for amendment of its existing certification to provide Internet Protocol Relay Service ("IP Relay") and Video Relay Service ("VRS") to include additional certification to provide Internet Protocol Captioned Telephone Service ("IP CTS"). Because the proliferation of new and innovative forms of telecommunications relay service ("TRS") is consistent with federal law and Commission

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<sup>1</sup> *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Declaratory Ruling (Jan. 11, 2007) (the "*IP CTS Ruling*"). The IP CTS Ruling states that a TRS provider wishing to provide IP CTS must submit an application for certification, regardless of whether such provider is already certificated by the Commission to provide other forms of TRS. *Id.* at ¶ 28. This requirement was confirmed in a subsequent Public Notice issued by the Commission on February 28, 2008. See generally *Public Notice*, CG Docket No. 03-123, DA 08-478 (Feb. 28, 2008) (the "*Public Notice*").

regulations and has been determined to be in the public interest, GoAmerica respectfully requests expeditious review and grant of this application.

## **I. INTRODUCTION AND BACKGROUND ON GOAMERICA**

As noted above, GoAmerica has been a certificated provider of so-called "improved" TRS services for nearly two years and as such, the Commission is already familiar with the Company and its qualifications to provide TRS. However, GoAmerica has provided the following introductory and background information about the Company for the Commission's convenient reference.

GoAmerica is incorporated under the laws of the State of Delaware and publicly traded on the NASDAQ market system under the symbol "GOAM." Its principal offices are located at 433 Hackensack Avenue, 3rd Floor, Hackensack, New Jersey 07601, and it operates several satellite offices and call centers nationwide. GoAmerica is the largest provider of IP Relay and the second largest provider of VRS in the country. The Company's current service portfolio includes innovative wireless and wireline access methods to text and video relay services marketed under its i711® brand, and through the Hands On® and Powered by Purple® brands of its wholly-owned operating subsidiary, Hands On Video Relay Services, Inc. ("HOVRS"). Additional information about GoAmerica is available at [www.goamerica.com](http://www.goamerica.com) and information about HOVRS is available at [www.hovrs.com](http://www.hovrs.com).

GoAmerica first entered the TRS business in May 2004 by developing and managing the underlying wireless application technology for Sprint Relay Wireless. This technology enabled users to connect to a relay service from virtually anywhere using a choice of wireless handheld devices and pagers. In March 2005, GoAmerica began providing web-based interstate relay

services under the i711® brand, and in June 2006, GoAmerica obtained certification from the *Commission as an interstate provider of both IP Relay and VRS*. The Company now offers access to its i711 relay services through the Internet, AOL Instant Messenger, Research in Motion's BlackBerry devices, T-Mobile Sidekick devices, voice-initiated calling, webcam-equipped PCs, and set-top videophones.

Prior to entering the relay market, GoAmerica already had a history – since 1997 – of providing accessible communication services to deaf, hard-of-hearing, and speech-disabled consumers, and its business is exclusively focused on those markets (collectively, the “Deaf/Hard-of-Hearing Community”). GoAmerica’s mission is, and always has been, to “bring down barriers to effective communication for people who are deaf, hard-of-hearing or speech-disabled by providing innovative, high-quality and dependable communication services.” GoAmerica has recently expanded this mission to include “raising the bar” with respect to every aspect of TRS, from the development of new and improved relay technologies and functionalities to the advancement of a regulatory platform that continues to approach “functional equivalence” to the implementation of these ideas in a manner that closes the gap between the communications resources available to hearing people and the Deaf/Hard-of-Hearing Community.

GoAmerica is run by a seasoned management team that has a deep understanding of business, operational, technology, regulatory, outreach, and customer care issues related to relay services. The company has a demonstrated track record of designing, producing, and implementing user-friendly innovations in relay services that are embraced by consumers and imitated by competitors.

In January 2008, the Company further expanded its ability to serve the Deaf/Hard-of-Hearing Community by acquiring HOVRS through a merger and concurrently acquiring the TRS

division of Verizon. These transactions more than tripled GoAmerica's aggregate capacity to provide several forms of TRS and they significantly augmented the institutional knowledge of the Company and the experience of GoAmerica's management team and employees. As a result of these acquisitions, and as noted above, GoAmerica is now the largest provider of IP Relay and the second largest provider of VRS in the country, as well as an industry leader in the provision of TRS generally.

In addition to the substantial expertise of GoAmerica and its operating subsidiaries, the Company also has a long-standing strategic partnership with Stellar Nordia Services LLC ("Stellar Nordia"). Stellar Nordia is a well-regarded multi-contact customer relationship management solutions company with extensive technical, operational, and administrative expertise as a call center operator. Formed in 1999, Stellar Nordia's initial relay service experience came from delivering such services to Bell Canada, which represents approximately 70% of Canadian relay traffic. In 2004, Stellar Nordia became a provider of intrastate relay services in California pursuant to a contract similar to several state contracts that GoAmerica acquired from Verizon. In addition, Stellar Nordia has been successfully serving as a technology and call center contractor for GoAmerica's interstate relay services since 2005. Across all of its business units, Stellar Nordia currently has 2,200 agents handling approximately 100 million customer interactions a year. Further information concerning Stellar Nordia may be found at [www.nordia.ca](http://www.nordia.ca).

GoAmerica's business relationship with Stellar Nordia has been extremely successful, due in no small part to Stellar Nordia's expert handling of call center operations and its deep understanding of applicable state and federal TRS regulations. GoAmerica's interstate relay services are operated in accordance with high-quality service level agreements that include

performance standards established by GoAmerica, which meet or exceed regulatory requirements in every case. This commitment to quality is evidenced by the very low rate of GoAmerica customer complaints (less than 0.01% for all calls handled from June 1, 2006 through May 31, 2007 – GoAmerica's first year as an Commission-certified TRS provider).

GoAmerica desires to continue building on its strong foundations and excellent track record by adding IP CTS to its portfolio of top-quality TRS offerings. The Company believes that in the coming years, IP CTS will become an increasingly important form of TRS, and therefore, GoAmerica is endeavoring to bring its unique combination of dedication, market presence, and experience to bear on establishing and expanding this new service. GoAmerica has a well-known commitment to serving the Deaf/Hard-of-Hearing Community and proven technical competence to be certificated by the Commission to provide IP CTS. The Company's historical and on-going efforts to provide friendly and familiar services to the Deaf/Hard-of-Hearing Community amply demonstrate that certification of GoAmerica to provide this additional service will promote the public interest.

## **II. NARRATIVE DESCRIPTION OF REQUIRED INFORMATION**

### **A. Description of Services**

As the Commission is aware, and as detailed above, GoAmerica has been a certificated provider of IP Relay and VRS since June 2005, and information about its existing services is well-documented with the Commission. By this application, GoAmerica seeks to amend its certification to include certification to provide IP CTS.

IP CTS in voice carry over ("VCO") mode is a text-assisted technology that allows hard-of-hearing individuals to communicate using their own voice and to hear the voice of the other

party to a call while viewing a real-time text stream of the other party's spoken words on specially-equipped telephones and/or personal computers. The relay aspect of the call is provided by specially-trained Communications Assistants ("CA") that provide voice-to-text relay service using voice-recognition software calibrated to the CA's voice. This service provides "functionally equivalent" relay communications for individuals who are capable of voicing their own conversations, but desire visual confirmation – in the form of the corresponding real-time text stream – of the auditory responses spoken to them over the telephone. IP CTS in voice carry over mode enables a "normal" two-way conversation to take place between the assisted user and the hearing party.<sup>2</sup> The CA's voice-to-text relay is virtually transparent to the hearing party.

There are several possible scenarios that can be developed for the provision of IP CTS.<sup>3</sup> GoAmerica may develop and offer IP CTS through a combination of internally-developed software, hardware, and licensed third-party technology that may include, but not be limited to the following:

- Device dependent captioned telephone;
- Device-independent web-based IP solutions;
- CTS solution with built-in "IP-softphone";
- CTS hardware solution interconnected to existing customer-provided equipment.

GoAmerica expects to provide both single-line and two-line IP CTS to its end users. GoAmerica currently offers its IP Relay services through Stellar Nordia, its operational and call center

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<sup>2</sup> The voice-to-text relay allowed by IP CTS increases the speed of relay from approximately 60 words per minute, common in traditional text relay that depends on a CA to type the hearing party's responses to the relay user, to approximately 140 words per minute, which approaches the speed of an unassisted voice conversation between hearing persons.

<sup>3</sup> The Commission has stated that a service will qualify as IP CTS "as long as it allows the user to simultaneously listen to, and read the text of, what the other party in a telephone conversation has said and the connection carrying the captions between the service and the user is via the Internet rather than the [public switched telephone network]." *IP CTS Ruling*, at ¶ 22. Further, the Commission has declined to specify the manner in which IP CTS must be provided "as long as [the service] meets applicable TRS mandatory minimum standards...and the captions are delivered via an IP network to the user fast enough so that they keep up with the speed of the other party's speech." *Id.*



subcontractor, which is currently a state-certified TRS provider. However, this should and does not preclude GoAmerica from providing its own CAs in its own call centers now or in the future.

**B. Ability to Meet All Non-Waived Mandatory Minimum Standards**

GoAmerica understands that, regardless of the manner in which it provides IP CTS, upon amendment of its certification it will be obligated to comply with all of the rules and regulations applicable to such service that the Commission has promulgated or may promulgate in the future. In addition, GoAmerica looks forward to actively participating in Commission proceedings regarding (i) changes to the regulatory requirements applicable to IP CTS (as well as to the other forms of TRS the Company offers), and (ii) determination of the most effective means for promoting the public interest of provision of functionally equivalent communications services to the Deaf/Hard-of-Hearing Community.

The Commission has concluded that carriers such as GoAmerica that seek TRS certifications shall provide, in narrative form, a description of how the provider will meet all non-waived mandatory minimum standards for the form of TRS to be provided. In the *IP CTS Ruling*, the Commission indicated that because of the similarities between IP CTS and IP Relay, its mandatory TRS rules will be applicable to IP CTS to the same extent that they are applicable to IP Relay.<sup>4</sup> As such, below, GoAmerica restates and supplements its explanation of how it will meet all minimum standards applicable to IP Relay from its original certification application:

**1. *Communications Assistant Competency Qualifications.*** Sections 64.604(a)(1)(i) – (iii) of the Commission’s rules<sup>5</sup> require that all CAs (a) be sufficiently trained

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<sup>4</sup> See *IP CTS Ruling*, at ¶¶ 29-30. In addition, the Commission also recognizes the similarity between IP CTS and traditional captioned telephone service (“Traditional CTS”) and has stated that minimum standards waived with respect to Traditional CTS will also be waived with respect to IP CTS. *Id.* In either case, the Commission has encouraged TRS providers to offer waived features to the extent it is technically feasible to do so. *Id.* at ¶ 31.

<sup>5</sup> Section 64.604(a)(1)(iv), which requires TRS providers to ensure that VRS CAs are all “qualified interpreters,”

to meet the needs of people who are deaf, hard of hearing, or speech-disabled; (b) have competent typing, grammar and spelling skills; (c) be familiar with deaf, hard of hearing, and speech-disabled cultures; and (d) have a typing speed of at least 60 words per minute. In addition, TRS providers such as GoAmerica are required to test for compliance with these requirements.

GoAmerica acknowledges these mandatory minimum obligations and agrees to comply with them. To do so, GoAmerica and Stellar Nordia perform pre-hiring evaluations of CAs and operate an extensive training program, which includes all mandatory minimum standards, prior to allowing CAs to handle live TRS calls. Prior to being released to a call center workstation, each CA must pass examinations for each subject matter covered by the training program (as well as demonstrate a typing speed of at least 60 words per minute with 98% accuracy).

GoAmerica and Stellar Nordia provide regular supplemental training and testing for all CAs. On-going training topics are selected based on the following factors:

- Areas of opportunity identified by performance evaluation
- Customer feedback
- New policies or protocol
- Regular refresher training focusing on a variety of topics

CAs also receive on-going supplemental training on skills and knowledge necessary to meet or exceed Commission mandatory standards. Training topics include:

- Spelling and grammar
- Confidentiality and ethics
- ASL gloss and grammar
- Deaf culture

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is not relevant to CAs for IP CTS.

- Needs of speech-disabled, late-deafened and hard-of-hearing users
- *Handling emergency calls*
- Stress management and sensitivity

To ensure that all CAs maintain the required typing speed of at least 60 words per minute, their typing skills are tested quarterly.

In addition to regular testing, GoAmerica and Stellar Nordia ensure the quality of CA work through a quality assurance program that measures CA skills in all TRS call types and situations. Trained teams of quality specialists place a minimum of 150 scripted test calls to randomly selected CAs each month, using scripts designed to reflect realistic TRS conversations, including personal and business calls. Scripts are also designed to measure distinct call handling skills, including typing. Quality assurance teams write scripts that include medical, legal, and technical language, as well as a variety of emotionally charged scenarios to test CAs' spelling, grammar, voicing and detachment skills.<sup>6</sup>

CAs are observed by managers at least three times per week, during which time they must achieve performance metrics in both quality and accuracy. If a CA is not meeting such performance targets, the CA is placed in an on-going individual coaching program with their manager, in which the CAs progress is closely monitored.

Upon receiving certification to provide IP CTS, GoAmerica's and Stellar's training and quality assurance programs will be modified to include skills and testing necessary to provide high-quality IP CTS.

**2. *Staying with Calls; Real-Time Transmission.*** Section 64.604(a)(1)(v) of the Commission's rules requires that CAs answering and placing a TTY-based TRS or VRS call must stay with such call for a minimum of ten minutes. Section 64.604(a)(1)(vii) requires that

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<sup>6</sup> Consistent with statutory and regulatory prohibitions, no actual relay calls are recorded or stored for evaluation.

CAs transmit conversations in real-time. GoAmerica ensures that its CAs operate in compliance with these standards. GoAmerica's and Stellar Nordia's CA training programs currently specify that CAs shall make best efforts to meet these obligations.

**3. Confidentiality; Accuracy; No Intentional Alteration.** Sections 64.604(a)(2)(i) – (ii) of the Commission's rules prohibit CAs from disclosing the contents of relayed conversations and, with limited exception, from keeping records of the content of calls, even where inconsistent with state or local law. Generally, CAs may retain information from a call only to facilitate the completion of consecutive calls. CAs are also prohibited from intentionally altering a relayed conversation and, except where illegal under other laws, must relay all conversations verbatim, unless requested otherwise. Appropriate measures must be taken to ensure such confidentiality.

GoAmerica ensures, through initial training, supervision and subsequent training, that all CAs operating under its employ shall comply with these rules and the Company requires the same of Stellar Nordia's CAs. As a matter of policy, the CAs are provided with a break room and a lunch room that are separate from the call center area, and CAs are provided with personal lockers (also separate from the call center area) in which they can store their belongings prior to entering the call center area to handle relay calls. Cell phones, tape recorders, personal digital assistants, and all electronic recording devices are prohibited in the call center area. If a manager detects and validates a lapse in confidentiality or a breach in security measures, the employment of the CA responsible for such lapse or breach is subject to immediate termination.

**4. No Refusal of Calls; Type of Calls Handled; Denial for Declined Credit.** Sections 64.604(a)(3)(i) – (iii) of the Commission's rules prohibit CAs from refusing calls or limiting the length of calls. Providers such as GoAmerica shall be capable of handling all types

of calls, except where credit authorization has been denied or where the Commission has determined they need not be accepted. GoAmerica ensures, through initial training, supervision and subsequent training, that all CAs operating under its employ shall comply with these rules and the Company requires the same of Stellar Nordia's CAs.

5. *Voice Mail; Interactive Menus.* Section 64.604(a)(3)(vii) of the Commission's rules requires that TRS providers alert end-users to recorded messages and interactive voice response systems via a "hot key" on the CA's terminal. Section 64.604(a)(3)(viii) of the Commission's rules require that providers provide answering machine and voice mail retrieval to end-users. GoAmerica shall ensure, through initial training, supervision and subsequent training, that all CAs operating under its employ shall comply with these rules and shall require the same of Nordia's CAs.

6. *Speed of Answer.* Section 64.604(b)(2)(i) of the Commission's rules requires that TRS providers ensure adequate staffing and facilities to provide users with "efficient access under projected calling volumes requirements," such that the likelihood of a user receiving a busy response from the network as a result of CA unavailability is functionally equivalent to what a voice caller would experience in similar circumstances on the voice telephone network. Section 64.604(b)(2)(ii) sets forth the following speed-of-answer requirements: 85% of all calls shall be answered within 10 seconds by any method that results in the caller's call being placed, not on hold or in queue, measured on a daily basis (and including abandoned calls in the calculation).

With over 4 years of i711.com forecasting and operational experience to date, GoAmerica has a substantial amount of historical call data on which to base call center staffing levels. This data can easily be segmented into 15-minute intervals for each 24-hour period,

allowing GoAmerica to derive time-of-day and day-of-week traffic patterns for any range of dates, for each type of modality (e.g., web-based, AOL Instant Messenger ("AIM") based, or wireless-based), and therefore CAs can be scheduled appropriately. This data is updated on a daily basis, so that "on-the-fly" adjustments to staffing can be made as needed.

In addition, a certain amount of excess capacity is reflected in all CA schedules, to help prevent unforeseen surges in demand or unexpected CA absences (e.g., due to illness) from impacting speed-of-answer levels. This excess capacity also has the benefit of improving speed-of-answer times overall, thereby resulting in an even more positive end-user experience. GoAmerica also takes into account known external events that could influence demand on a given day, such as holidays, consumer trade shows, and marketing programs. GoAmerica will continue to comply with applicable speed-of-answer requirements.

7. ***Twenty-Four Hour Operation.*** Section 64.604(b)(4) of the Commission's rules require that TRS providers operate 24 hours per day, every day, and that they have redundant features, including uninterruptible power for emergency use. Although this rule does not require non-mandatory relay services such as IP CTS to be provided on a 24-hour basis, GoAmerica nevertheless intends, consistent with consumer demand, to make the service available on a 24-hour basis. With respect to system redundancy and uninterruptible power, GoAmerica's and Stellar Nordia's call center facilities are located in 24-hour per day monitored facilities with redundant power, multiple network connections, fire suppression systems, and environmental control systems.

8. ***Technology; Caller ID.*** Sections 64.604(b)(5) and (6) of the Commission's rules provide that TRS facilities utilizing SS7 shall be subject to Calling Party Telephone Number rules, and that where a TRS facility is capable of transmitting any calling

party identification information to the public telephone network, it must pass through the number of the TRS facility, 711, or the calling party's 10-digit number. GoAmerica agrees to comply with these rules to the extent they are applicable to the Company's IP CTS offerings.

**9. Complaints.** Sections 64.604(c)(1)(i) and (ii) of the Commission's rules provide that carriers shall maintain a log of consumer complaints, and must maintain the log until the next application for certification is granted. The log shall contain (i) the date of the complaint, (ii) the nature of the complaint, (iii) the date of resolution, and (iv) the nature of the resolutions. On July 1 of each year, providers shall submit summaries of logs indicating the number of complaints received during the previous 12-month period ending May 31 of the each year. GoAmerica agrees to comply with these rules.

**10. Contact Person.** Section 64.604(c)(2) of the Commission's rules requires interstate TRS providers to submit to the Commission a contact person or office for TRS consumer information and complaints about the TRS provider's service, including the (i) name and address of the office that receives complaints, grievances, inquiries, and suggestions; (ii) voice and TTY telephone numbers, fax number, email address, and web address; and (iii) the physical address to which correspondence should be sent. GoAmerica's contact person for all TRS regulatory compliance matters, including the issues identified in this paragraph, is the undersigned, Kelby Brick, Esq., as follows:

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Vice President, Regulatory and Strategic Policy  
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Facsimile: (410) 747-0167

Consistent with the requirement of this rule and in order to update GoAmerica's existing certification, the Company will also promptly submit this information under separate cover with respect to its existing TRS offerings.

**11. *Public Access to Information; Consumer Outreach.*** Section 64.604(c)(3) of the Commission's rules requires that TRS providers undertake education and outreach efforts to educate the public about TRS, including to members of the Deaf/Hard-of-Hearing Community and to the general public. Such efforts shall publicize the availability of 711 access to TRS in a manner reasonably designed to reach the largest number of consumers possible. GoAmerica's business is designed to serve the TRS market exclusively, and therefore such GoAmerica's outreach efforts are directly related to GoAmerica's success in the marketplace.

GoAmerica actively engages in outreach activities with the Deaf/Hard-of-Hearing Community on many fronts. The Company has a visible presence at numerous national, regional, and local events and conferences for the Deaf/Hard-of-Hearing Community. Such presence takes the form of outreach booths, spokespeople, demonstrations, training sessions, and financial sponsorships. GoAmerica's outreach network includes over 80 independent contractors. GoAmerica publishes a variety of articles and videos created by deaf and hard-of-hearing authors on its i711.com website, and HOVRS presents specially created videos, including a full-length feature film and a sitcom episode dealing with issues of interest the Deaf/Hard-of-Hearing Community, on [www.hovrs.com](http://www.hovrs.com).

In addition to traditional outreach activities, the Company fosters a sense of community by inviting comments from deaf and hard-of-hearing relay users. Consumers are also actively enrolled in beta testing of new relay features and in providing feedback on such



innovations. GoAmerica employs deaf people at all levels of its staff, and has deaf representation on its Board of Directors. In addition, all hearing employees are offered cultural training and introductory classes in sign language.

12. **Rates.** Section 64.604(c)(4) of the Commission's rules impose certain requirements regarding rates. By filing this application GoAmerica seeks to be compensated entirely through the Interstate TRS Fund, and therefore its services will be provided at no cost to GoAmerica's end-users. Each month, GoAmerica will report all of its "conversation minutes of use" to the TRS Fund Administrator, the National Exchange Carrier Association ("NECA"), and NECA will reimburse GoAmerica based upon the rates established by the Commission.

13. **TRS Fund Administrative Issues.** Section 64.604(c)(5)(iii) of the Commission's rules provide that (i) telecommunications carriers providing interstate telecommunications services shall contribute to the Interstate TRS Fund, (ii) TRS providers shall provide the TRS Fund Administrator with true and accurate information necessary to determine the TRS Fund's annual revenues requirements, (iii) TRS providers shall comply with a variety of TRS Fund rules, including rules designed to ensure that providers calculate monthly minutes of use accurately. GoAmerica agrees to comply with all such obligations applicable to TRS providers and to accurately file with the Commission an annual "Telecommunications Reporting Worksheet."

14. **Substantive Changes.** Section 64.605(f)(2) of the Commission's rules requires that certificated TRS providers notify the Commission of substantive changes in their TRS programs, services and features within 60 days when such changes occur, and must certify that they are in continued compliance with federal minimum standards after implementing such substantive changes. GoAmerica acknowledges and agrees to comply with this obligation.

15. **Annual Report.** Section 64.605(g) of the Commission's rules requires that certificated TRS providers file with the Commission, an annual report providing evidence that they are in compliance with Section 64.604 of the Commission's rules. GoAmerica acknowledges and agrees to comply with this obligation. In addition, the Commission requires TRS providers to file annual reports setting forth their efforts to meet waived mandatory minimum standards for their various service offerings, and GoAmerica agrees to file such a report with respect to IP CTS (in addition to its other TRS offerings).

16. **No Requirement to Meet Waived Minimum Standards.** In the *IP CTS Ruling*, the Commission stated that the mandatory minimum standards inapplicable to, or waived with respect to, IP Relay and Traditional CTS are also inapplicable to, or will be waived with respect to, IP CTS.<sup>7</sup> GoAmerica acknowledges that its IP CTS offering will not be required, at this time, to meet the following requirements:

- CA gender preference (Section 64.604(a)(1)(vi))
- Handling calls in ASCII and Baudot formats (Section 64.604(b)(1))
- Call release
- Speech-to-speech relay service (and associated CA skill requirements)
- Hearing carry-over ("HCO") and VCO services (and associated CA skill requirements)
- Outbound 711 calling
- Emergency call handling (Section 64.604(a)(4))
- Equal access to interexchange carriers (Section 64.604(b)(3))<sup>8</sup>
- Pay-per-call (900) service (Section 64.604(a)(3)(iv))
- Three-way calling
- Speed dialing
- CA ASL competency, oral-to-type testing, and refusal of sequential calls<sup>9</sup>

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<sup>7</sup> *IP CTS Ruling*, at ¶¶ 29-30.

<sup>8</sup> This requirement is permanently waived as long as the provider offers free long distance to its customers. See *IP CTS Ruling*, at n. 101. GoAmerica agrees to offer free long distance to its customers.

Notwithstanding these waivers, GoAmerica may choose to offer certain of these functionalities, and to train its CAs according to certain of these skill requirements, to the extent possible.

17. ***Additional Commitment.*** GoAmerica agrees to comply with any and all orders, regulations, or obligations lawfully promulgated from time to time by the Commission that are applicable to providers certificated by the Commission to provide IP CTS generally, or to GoAmerica specifically. To the extent that existing or future waivers of Commission rules expire, GoAmerica agrees to begin promptly to meet such requirements.

**C. Procedures for Ensuring Compliance with IP CTS Rules**

In its initial application for certification to provide IP Relay and VRS, the Company stated that eventually GoAmerica may need to appoint a "TRS Compliance Officer" responsible for ensuring that the Company remains in compliance with the Commission's TRS rules. After GoAmerica's acquisition of Verizon's TRS division and its merger with HOVRS, the Company has created a new department to coordinate and supervise regulatory matters for GoAmerica and all of its operating subsidiaries; as noted in Section II.B.10., GoAmerica's contact person for all TRS regulatory compliance issues is Kelby Brick, Esq. Mr. Brick is the Company's Vice President for Regulatory and Strategic Policy, and he also holds the position of TRS Compliance Officer. He manages the department responsible for ensuring GoAmerica's continued compliance with all federal and applicable state regulatory requirements.<sup>10</sup> Mr. Brick's

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<sup>9</sup> *IP CTS Ruling*, at ¶ 30, n. 105. These rules do not apply to IP CTS where the user does not type the outgoing message, the CA generates text for the user primarily using voice recognition technology, and the CA does not set up the call. *Id.* at n. 105. Despite the waiver of certain of these CA requirements, GoAmerica fully intends to maintain its high quality standards of operation for *all* of its CAs. As described in Section II.B.1. of this application, new and existing CAs will be thoroughly trained in the provision of relay services generally, and IP CTS specifically. Additionally, basic telephone system training, technical awareness of the service platform, and IP CTS procedures, including "oral-to-text" relay testing, will be provided to all CAs.

<sup>10</sup> In the Verizon acquisition, GoAmerica acquired, among other assets, state contracts to provide intrastate traditional TRS in California, the District of Columbia, and Tennessee. Mr. Brick is also responsible for overseeing compliance with state regulations in those states.

department is still in the process of establishing uniform processes and procedures for ensuring regulatory compliance across GoAmerica's recent acquisitions, but as a general matter, GoAmerica will continue to meet its regulatory obligations as it has done since its initial certification.

**D. Complaint Procedures**

GoAmerica's procedure for handling complaints includes analysis of the complaint to determine if it is technical or operational in nature. Once the nature of the complaint is identified, information is collected and, in the case of an identified CA who may be the source of the complaint, an interview between the CA and their manager ensues in order to ascertain certain facts related to the complaint. The customer making the complaint receives a reply from GoAmerica summarizing the findings and closing the issue once it is formally resolved. Complaints will be responded to promptly, and escalated as needed until resolved. All complaints are summarized and include, among other things, the nature of the complaint, action taken, and the date resolved.

More importantly, GoAmerica strives to avoid complaints before they happen. In order to do this, GoAmerica offers customer service through toll-free voice and TTY hotlines as well as online forms made available on the Company's web portal; users may contact customer services to get help or ask questions about services before filing a complaint. Calls and online submissions will be taken by customer service specialists, who will then work with such customers to address any issues raised by their submissions. In addition, GoAmerica will make available a variety of online support resources, such as Frequently Asked Questions, to address those end-users looking for immediate answers. Finally, GoAmerica welcomes customer

suggestions for ways to improve all of its services, and the Company seriously considers these recommendations because they may help avoid or alleviate future problems or complaints.

**E. Areas in Which Services Will Differ from the Mandatory Minimum Standards**

GoAmerica's services will not differ from the mandatory minimum standards the Commission has established. In the event that new or different minimum standards are established, GoAmerica will either conform to those standards or apply to the Commission for a waiver of the particular standards.

**F. Evidence that Services Differing from Mandatory Minimum Standards Do Not Violate Applicable Mandatory Minimum Standards**

Not applicable.

**G. Statement that GoAmerica Will Continue to File Annual Compliance Reports Demonstrating Continued Compliance with the Commission's Rules Governing IP CTS**

GoAmerica acknowledges its obligation to, and agrees to, file annual compliance reports demonstrating the Company's continued compliance with the Commission's rules governing IP CTS and demonstrating GoAmerica's efforts to meet certain waived minimum standards, in each case at a time and in a manner prescribed by the Commission. GoAmerica recognizes that currently, such reports are due on April 16 of each year.

**III. NOTIFICATION TO NECA**

Pursuant to Section 64.604(c)(5)(iii)(G) of the Commission's rules and as stated by the Commission specifically with respect to IP CTS in the *Public Notice*,<sup>11</sup> GoAmerica will notify

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<sup>11</sup> *Public Notice*, at 3.

NECA of its intent to participate in the TRS Fund as an IP CTS provider by notice delivered at *least 30 days prior to submitting reports of IP CTS minutes of use.* Upon receipt of the requested amendment to the Company's certification from the Commission, GoAmerica will further advise NECA of the Company's updated certification status.

#### IV. CONCLUSION

GoAmerica has previously provided the Commission with a full discussion of its meeting of the mandatory minimum standards of operation for TRS, and in this application for amendment of its TRS certification, the Company reaffirms its commitment to meet all obligations required by the Commission while providing the highest quality TRS offerings in the industry. As detailed in this application, GoAmerica intends to comply fully with all mandatory minimum standards of operation applicable to IP CTS, and it is plainly evident that GoAmerica possesses the operational, technical, and managerial qualifications to provide IP CTS in addition to the other forms of TRS that it has successfully provided under Commission certification since 2005. The requested certification would be in the public interest, and GoAmerica therefore respectfully requests that the Commission amend the Company's certification to allow it to provide IP CTS.

Respectfully submitted,  
GOAMERICA, INC.

By:

  
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